

NATIONAL ARCHIVES

IRELAND



Reference Code:	2009/135/704
Creation Date(s):	3 September 1979
Extent and medium:	14 pages
Creator(s):	Department of the Taoiseach
Access Conditions:	Open
Copyright:	National Archives, Ireland. May only be reproduced with the written permission of the Director of the National Archives.

Meeting with British Prime Minister, London,

5th September, 1979.

Summary Notes

Arrangements

The meeting will start with a working lunch, scheduled to commence at 1.15 p.m. This will be attended, on the Irish side, by the Taoiseach, Minister for Foreign Affairs, Ambassador Kennedy, and Messrs. O'Rourke, Nally and Kirwan. With Mrs. Thatcher will be Lord Carrington, and the British Ambassador to Ireland. The names of the remainder of the British Delegation are being obtained.

The working lunch will be followed by a tete-a-tete between the Taoiseach and the Prime Minister, attended, possibly, by one note-taker on each side. This meeting will be followed, in turn, by a plenary session at which those present at the lunch will, it is expected, be joined by others.

According to present intentions, discussion at lunch would be devoted to EEC and other questions of this kind. The private talk would be devoted to whatever either leader wished to discuss and the plenary session would be devoted to "cross border security matters". This last description is from Mrs. Thatcher's reply to the Taoiseach's letter of 30th August in which he said that a meeting was desirable and expressed the hope that it would "pave the way for worthwhile progress in the various closely related areas relevant to ending the violence " in Ireland and Britain.

Security

Security will inevitably bulk large in the meeting, particularly because of the circumstances in which it is being arranged. However, there are sufficient items on the Agenda to enable the meeting to be described

Minister
 Given to me by
 Mr. Nally for Mr. P.A.
 When we met in
 London on evening
 4.9.1979, I found
 Minister already
 had a
 copy.
 LK
 4.9.79.

in terms other than security; and there is certainly nothing to prevent the Taoiseach from raising these other matters and presenting the meeting in terms a great deal wider than simply a meeting to discuss security. In particular, it would appear to be essential to dismiss the illusion that the Taoiseach is being called to London by the British Prime Minister because of culpability on the part of Ireland or of lack of will to combat violence. The commitment of Governments heretofore appears to have been widely accepted. Every communique following a meeting between the Taoiseach and the British Prime Minister has contained in it a statement expressing the satisfaction of the leaders at the level of security co-operation between the two countries; and Mrs. Thatcher's letter of 1st September replying to the Taoiseach's letter of 30th August said:-

"I know that we are both equally anxious to stamp out terrorism".

The trouble may well be that British proposals for doing this do not appear to be practicable, at best, and could well be highly counter-productive at worst. These suggestions are:-

- (1) joint patrols along the border, with the possibility of permitting "hot pursuit" by British security forces into the territory of the Republic;
- (2) the presence of RUC officers at questionings in the Republic;
- (3) direct army to army contact along the border;
- (4) the formation of a mobile squad in the Garda Siochana to combat terrorism.

The first point to be made, in general, on these proposals is that they do not take into account sufficiently, specifically Irish conditions. Thus, the possibility of British troops entering on Irish territory

could well be so highly counter-productive, as to be, totally, a non runner. Similarly, the overt presence of RUC officers at questionings in the Republic could not only destroy a great deal of the popular support on which the Garda Siochana rely in their investigations, but could well lead to the Courts discounting evidence obtained in this way. Following the Strasbourg case, and the more recent Bennett Report, the reputation of the RUC, and their questioning methods are by no means free of suspicion here. These points could be made, with others discussed recently, in private discussions with the British Prime Minister but care would need to be exercised in how they are to be phrased in reply to any public questioning. Sufficient scope exists for effective participation.

The second major point which applies equally to all four suggestions is that there is, in the suggestions, the implication that the border is an over-riding consideration in Northern Ireland security. This just is not true. The border is, admittedly, an important factor and there is probably no way in which this importance can be quantified statistically. However, it is worth bearing in mind that when the British did provide statistics of the extent to which crimes having a relationship to the border were occurring, their figure was approximately 2%. Following controversy, the British have stopped giving these statistics to us. However, an analysis carried out down here of the extent of terrorist crimes in border areas in Northern Ireland, in 1977 and 1978, showed that something under 3% of all such crime in Northern Ireland was committed in these areas. Even if this percentage is widely out it must indicate that the border is not, by any means as crucial a factor in Northern security, as it is made out to be in some quarters.

On the individual suggestions - if what is meant by joint patrols is that there should be parallel patrols on each side of the border, then there could be very little objection from us. Patrols made up from

th British and Irish armies or from the Garda and RUC or any combination of these forces, would, almost inevitably cause more confusion, and perhaps produce more illwill, than any possible results would justify.

When the Emergency Powers Act, 1976, permitting detention for up to 7 days without charge, was in operation, the Courts tended, more and more to disregard evidence obtained in the period after the first 48 hours. It could be anticipated that the Courts would take a similar attitude to evidence obtained with the aid, or in the presence of RUC personnel. The political and propoganda implications, and the likely effect on Garda morale, are additional arguments against the adoption of this suggestion.

Army to army contact has always been rejected here, essentially because the force responsible for security in this State is the Police. This is exactly the same position as obtains in Britian, where, as here the army acts in support of the Civil Power. There does not seem to be any practical argument, in terms of increased effectiveness etc. for permitting army to army contact. In fact, from the Northern Ireelan point of view, direct contact between the Garda and the RUC increase the effectiveness of the RUC and probably boost its morale. In additio the desirability of one secure channel of communication is obvious. So far, we have not heard any arguments based on the ineffectiveness of present methods of communication, which are improving all the time. In fact, communications is one of the subjects which were given specifically to the inter-police panels established in 1974, which govern security co-operation between the two countries. There are no outstanding differences of opinion as to the efficiency of communication between the two countries, in this committee.

The suggestion for the establishment of a mobile squad is based on

British experience and police methods. It could well be effective, in certain circumstances. Here, however, the Gardai prefer to rely on local knowledge and expertise backed up, as necessary, by technical advice from central sources. The British case for their suggestion could well be listened to, on this aspect.

This sort of reply to all four British suggestions could well evoke the response that the Irish attitude to security is totally negative. It would be an important part of the Irish case, both publicly and privately, that this would be a total mis-representation. Recent events have caused an unprecedented degree of revulsion among Irish people everywhere. Proportionately, the Irish security effort is probably far greater ~~than that of the British.~~ than that of the British.

Its major elements are:-

- (1) an increase, since the early 1970's of approximately 60% in the numbers in the Garda Siochana and of approximate 50% in the size of the army, with additional equipment and special training;
- (2) the introduction, in 1972 of Special Criminal Courts which operate without Juries;
- (3) the outlawing of the IRA in this country long before it was outlawed in Britain;
- (4) the unique legislative provision that evidence by a Chief Supt. of belief of membership must be taken into account by a Court;
- (5) provision for detention of suspects for up to 48 hours, without charge. (The provision, introduced in the Emergenc

Powers Act, 1976 allowing for detention for 7 days was, in fact, found to be becoming less and less effective as Courts declined to take into account evidence obtained after the first 48 hours. In fact, in five cases only (7 people) did detention beyond 48 hours enable the gardai to secure evidence to enable a prosecution to be taken).

(6) the most rigorous controls on the movement of explosives. In fact, any detonation can now be legally effected only in the presence of a member of the Garda Siochana;

(7) similarly, there are the most stringent controls on the position of firearms.

However, it is obvious that even these measures are insufficient to prevent terrorism. The fact is that there is no such thing as absolute security - as the murder of the Spanish Prime Minister Carrero Blanco, the former Italian Prime Minister, Signor Moro, the opposition Spokesman on Northern Ireland, Airey Neave, and the Head of the German Confederation of Industry, Herr Schleyer, indicates. If there is anything more which can be done which is likely to produce even better results, then the Government here would adopt it. As it is, there is agreement:-

- (1) that a new recruiting campaign be started for the army;
- (2) that the numbers in the Garda Siochana, which are already at a higher level than at any time in the history of the State, should be further increased;
- (3) that specific legislative measures be brought forward (subject to detailed consideration by the Government).

The essential point is that whatever is done should be effective.

Extradition

The main point here is that the eight other countries of the European

Community have agreed to a European Convention for the suppression of terrorism, which incorporates the principle of "try or extradite". This Convention will be open for signature in Dublin during the period of the Irish Presidency and the Irish Government have already indicated their intention of signing it.

The earlier Convention, adopted by the Council of Europe has been signed by most other countries in Europe, but subject to conditions which would make signature by this country useless in the context of Northern violence. Thus, France, Germany, Belgium and Denmark do not extradite their own Nationals at all whether the offence be political or non political. Sweden, Italy, Norway and Portugal entered reservations as to their right not to extradite for political offences. Thus, signature by this country of that Convention on these terms would not make any difference, one way or the other to Northern problems.

It should also be borne in mind that extradition is to enable people to be charged in Court, not to enable them to be interrogated in the hope of getting evidence. There are prime suspects for murder walking around the streets of Belfast and elsewhere in Northern Ireland and the RUC can do nothing about them simply because they cannot produce evidence.

If there is evidence against a person, living in the Republic, he can be charged here. In fact, provision to that effect has been operative since 1973, insofar as the offence of murder is concerned. Not one single case has been brought under that legislation. N.B. Keac problems, under consideration by Director of Public Prosecutions.

Warrenpoint Murders

There is no evidence, so far, any shooting at Warrenpoint, came from the Irish side of the border. ^{There is no} evidence to the effect that the detonation was effected from this side of the border. ~~There is no evidence to the effect that the detonation was effected from this side of the border.~~ One way

or the other, the major security slip-up in the area was in enabling the bombs to be placed - and this happened in the jurisdiction of the Northern Security Forces. We do not wish to make a point of this but simply to draw attention to the facts which have been overlooked in much of the media comment.

Training Camps

Similarly, a great deal of comment on the existence or otherwise of IRA training camps in the South is not based on hard evidence. If information as to the location of these camps is given to the Garda Siochana it will quickly be acted on.

Conclusion

However, the major point is that Northern Ireland cannot be viewed simply as a security problem. The administration there, in its constitution and history, contains within itself the seeds of instability. Until these are eliminated, there will not be a permanent peace in Northern Ireland. To say this is not to give aid to the IRA or any other subversive organisation but simply to recognise the facts.

Political Initiative

If the centre of the Northern problem is concerned with politics, the British may well ask what solution the Irish Government would suggest or support. It would be easy to be too forward in reply to this type of question but there are obvious dangers.

First, the fact that a suggestion is made, overtly, by an Irish Government source will, in itself, almost inevitably mean the kiss of death for the suggestion, insofar as the majority in Northern Ireland are concerned.

Secondly, if the British did accept such a suggestion and try to put

it into operation and, it failed, then the blame for failure would no doubt be laid at the door of the Irish Government.

It would, be far more productive if the British Government were to indicate the lines along which they were thinking, and seek the support of the Irish Government. It has been clearly indicated, time and again by all Governments here, that they would support measures involving power-sharing, partnership, or participation by the minority community in Government, in Northern Ireland. The detail of such measures and how they are to be operated would be a matter for the closest consideration between the two Governments and representatives of all the people of Northern Ireland.

European Community

It is considered that the discussion, over lunch, of community matters might well look forward to the European Council to be held in Dublin next November. It would be well within the right of the Taoiseach, as President of the Council, to keep the conversation directed towards that time rather than towards immediate solutions to difficult problems. As things stand now, the items which could well come up at the November Council are:-

- (1) British problems with their Budget contributions;
- (2) Convergence of the economies of the community, in a wider context;
- (3) Fisheries;
- (4) Possibly British membership of the European Monetary System.

On the first of these problems, the British argue that they are contributing more than proportionately to the community budget. If British GNP is simply measured in cash terms this may well be so but once purchasing power parity is taken into account, the size of the

disproportion in the British contribution diminishes almost to vanishing point. This is a point which could well be made by the French and Germans. The points which we could make are:-

- (1) The papers which the Commission have been asked to prepare for the ECOFIN meeting on the 17th September are not yet available;
- (2) In general, we believe that the question should be approached as part of the wider question of financing the budget after 1980, when the "own resources" system will no longer be sufficient;
- (3) We will do all we can, as Presidency, to see that procedural or organisational problems do not hold up consideration of the British problem.

It is no part of the answer (1) to diminish existing policies or expenditures or (2) to ask other members to pay more.

Insofar as we are concerned, the Irish contribution is also out of proportion to Irish GNP, as a proportion of the Community Budget. However, largely because of the size of the benefits from the CAP the net contribution from the Community to this country is quite large. We do not suffer to the same extent, as the British say they do from the present mechanisms.

A major point, in relation to the entire argument is that the Community "own resources" system was designed specifically to encourage intra Community trade and the development of the Community as a political and economic unit. Obviously any serious modifications of the "own resources" system would involve all members of the community and could only be done with Community agreement. The "own resources" system existed when the British joined the Community and at the time of their subsequent Referendum on membership it could be agreed therefor that they knew the rules of the club when they joined and subsequently when they confirmed their membership. It is coincidental that the

earlier modification of the "own resources" system was done in Dublin at the European Council in March, 1975 before the Referendum on membership.

On convergence, the position has been that between the early 1970s and 1976 and 1977 the larger countries in the Community in particular, Germany and France have increased their "national product" per head more than the Community average while the poorer countries, including the U.K. and Ireland, have seen the corresponding figures for them decrease. In other words, the wealthier countries of the Community are becoming more wealthy while the poorer countries are losing out. (They would probably have lost out even more if the Community did not exist but that is a separate issue.) In other words, existing Community policies, including the Regional and Agricultural policies have not reduced regional disparities. The question of how this trend can be reversed, if at all, by Community action, must be the subject of considerable study.

On fisheries, Mrs. Thatcher said when she met the Taoiseach last May that the issue as she saw it was that fisheries did not concern the functioning of the market but were a resource. Present difficulties hinge on British refusal to move on the question of national limits. It is understood that Mr. Gundalach has been having discussions with them. He is expected here next week. It could be worth putting a polite enquiry to the British Prime Minister as to the direction in which their policy is moving.

On the European Monetary System, the British indicated some time ago, that the question of membership would be considered closely by them in September. It now looks as if the issue would not be considered in detail until October, at the earliest. The parity of the British pound now is exercising considerable pressure on British exporters,

particularly of industrial goods which are price sensitive. At the same time, British industry as a whole, is not investing enough even to maintain its competitiveness. The economy generally is coasting along on the oil revenues without making provision for the future. This is a most unhealthy position, in the longer term, for the British economy; whether or not membership of the EMS, and the parity at which it is undertaken, will improve matters is a matter for debate. A separate note is included in the brief on Irish experience with the System.

Other issues

A brief summary on issues of current concern in the Community is attached at the end of this note.

Conclusions

Mr. Atkins when speaking in Parliament last July, following the murder of Airey Neave, said:-

"the policy of seeking to extend the rule of law and to combat terrorism through the law was the one best calculated to overcome those who sought to terrorise their fellow citizens into accepting political structures they did not want."

In his speech at the Newry and District Council on 3rd September he said:-

"but if we abandon the normally accepted standards of law, then we are playing into the terrorists' hands."

The approach of the Irish Government is precisely along these lines.

It has devoted more resources, proportionately, to security than the British Government; it has more I.R.A. prisoners in prison, proportionately than the British Government; it has increased the size of its police and army by some 50% to 60% since the early 1970s

and devoted for its size, a considerable proportion of its resources to improving their effectiveness and equipment.

The Irish people do not support the campaign of terror. At all elections in recent years they have repudiated those who supported terrorism, by an overwhelming margin. The feeling of revulsion among the Irish people generally at the recent murders cannot be exaggerated.

The Government will do everything possible to combat terrorism. They have proposed a further stepping up of the campaign for recruitment to the army. The size of the police force, which is at its greatest strength since the foundation of the State, will be further increased. Legislative measures are being considered to increase the effectiveness of detection and the judicial system generally. Ireland has already indicated its willingness to ratify the European Communities Convention on the Suppression of Terrorism and will probably be doing so during the period of its Presidency. If any other measures can be shown to increase the effectiveness of the drive against terrorism, then the Government would not hesitate to adopt them. They will not, however, adopt measures simply for the sake of appearance, which could, in the end, be highly counterproductive.

Responsibility for the precise form of the political initiative on which progress in Northern Ireland must be based, rests with the British Government. The Irish Government have at all times emphasised that any solution to the problems of Northern Ireland must provide the promise of stability in the area. This can come about only if all sections of the community there can participate in the Government by which their lives are to be

regulated.

The European Community items, likely to arise, are summarised sufficiently above.

3rd September, 1979.